

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 87-49
AMENDMENT TO REQUIREMENTS

FMC CORPORATION AND
DESIGNED BUILDING SYSTEMS, INC.
REMEDIAL ACTION PROGRAM
NEWARK, ALAMEDA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board), finds that:

1. This Board, on September 18, 1985 adopted Order No. 85-113, waste discharge requirements for FMC Corporation and Designed Building Systems, Inc. (hereinafter collectively referred to as the discharger). The Order prescribes a remedial action program and time schedule to correct a situation whereby ground water in both the shallow and Newark aquifer at the site has been polluted with primarily ethylene dibromide (EDB).
2. Prohibition A.1 of Order No. 85-113, prohibits the presence of EDB in detectable concentrations in the shallow aquifer beyond the compliance boundary around the zone of contamination as delineated in Attachment A to Order No. 85-113, unless the Board specifies an allowable concentration in accordance with provision C.1 and C.2, of said Order.
3. Pursuant to Provision C.1 of Order No. 85-113, FMC submitted, on April 1, 1986, a report titled "Addendum to the Environmental Risk Assessment" addressing the environmental consequences of allowing ethylene dibromide (EDB) to migrate from the shallow zone at their site. Also submitted at this time, as required by the same provision, was a report titled "Evaluation of Shallow Zone Containment Alternatives" which evaluated various containment methods for the shallow zone of contamination. This report concludes that, on a preliminary basis, hydraulic control of EDB in the shallow aquifer by means of extraction wells is feasible. Based on the environmental risk assessment, it is appropriate to extend the compliance deadline for Prohibition A.1 pending field investigation and completion of design of the hydraulic control system, which is necessary to fully evaluate the proposed containment concept.
4. Pursuant to Provision C.2 of Order No. 85-113 the discharger has submitted an expanded risk assessment. The Board intends to hold a public hearing prior to June 1, 1988, to specify an allowable concentration of EDB which may remain unremediated in the shallow aquifer, if any.

5. The discharger is currently treating EDB contaminated ground water by extracting water from a Newark aquifer extraction well at this site. The extracted water is treated by carbon adsorption and re-injected, together with potable water, to the Newark aquifer. The discharger has requested to have the option to discharge treated well water from both the shallow and Newark aquifers to surface waters pursuant to a NPDES permit.
6. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on July 21, 1982, and this amendment implements the water quality objectives in that Plan.
7. This Order governs maintenance of an existing facility and does not have a significant effect on the environment pursuant to Section 21084 (a) of the California Environmental Quality Control Act and Section 15310 of the Resources Code.
8. The Board has notified the discharger and interested agencies and persons of its intent to amend waste discharge requirements, and has provided them with an opportunity to submit their written views and recommendations.
9. The Board heard and considered in a public meeting all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that this Board's Order No. 85-113 be amended as follows:

A. Specification B.4 is amended to read:

Injection of water to the Newark aquifer shall take place as described in FMC's submittal of May 24, 1985, with the exception of such minor subsequent modifications as may be necessary to comply with Prohibitions A.4 thru A.8 of this order, unless other procedures are approved in writing by the Executive Officer. Only water extracted from the shallow and/or Newark aquifer and treated to remove EDB, or potable water, shall be injected to the Newark aquifer, unless another source of water is approved in writing by the Executive Officer on the basis of a demonstration that this other water will not adversely impact actual or potential beneficial uses of the Newark aquifer or any other hydraulically interconnected aquifer.

B. Provision C.1.c is amended to read:

By January 1, 1988, the discharger shall submit a report, satisfactory to the Executive Officer, on the design of measures which will achieve compliance with Prohibition A.1, together with a time schedule for implementation of such measures. Prohibition A.1 shall become effective as of June 1, 1988.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Control Board, San Francisco Bay Region, on May 20, 1987.

A handwritten signature in cursive script, appearing to read "Roger B. James", written in dark ink.

ROGER B. JAMES
Executive Officer